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ENVIRONMENTAL COVENANT

This is an environmental covenant executed pursuant to the Uniform Environmental Covenants Act, West Virginia Code Chapter 22, Article 22B, to restrict the activities on, and uses of, the following described property (the Property):

The Property consists of two parcels located in Jackson County, West Virginia, referred to as the Spent Potliner Pile, a tract of 2.756 acres on which spent potliner is disposed of in an aboveground covered pile, and the Discolored Puddle Area, a tract of 0.644 acres immediately north of the Spent Potliner Pile. Legal descriptions of these tracts are provided in Attachment A.

Activities on and uses of the above described Property that may result in excessive human exposure or in the release of a contaminant that was addressed as part of the environmental response project related to this covenant are prohibited. Those activities and uses include, but are not limited to:

- *Nonresidential use - Uses of the Property for any purpose other than as nonresidential property as defined by the West Virginia Voluntary Remediation and Redevelopment Act (W. Va. Code § 22-22-2(q)).*
- *Groundwater use restriction - Extraction of groundwater on the Property for any use except for ground water monitoring and/or remediation.*
- *Excavation restriction - Excavation, drilling or penetration on the Property unless such excavation, drilling or penetration is conducted by a contractor who is qualified and knowledgeable about releases and exposures to contaminants known to exist at the Property. The contractor will be required to perform the work in accordance with a Health and Safety Plan and a Soil Management Plan specific to the Property and developed by a Licensed Remediation Specialist or similarly qualified individual. The contractor will also be required to remediate any disturbed area of the Property in a manner which assures that an equivalent amount of engineering control of the Property is achieved at the conclusion of the work. The owner or operator shall provide written notice to the Secretary of the West Virginia Department of Environmental Protection and the U.S. Environmental Protection Agency, Region III of the intent to conduct such work.*

The current owners of record of the Property, and their contact information, are:

*Ravenswood Remediation LLC
c/o Martin Dodd
21 Griffin Rd North
Windsor, Connecticut 06095-1512*

Any person, including a person that owns an interest in the Property, the state or federal agency determining or approving the environmental response project pursuant to which an environmental covenant is created, or a municipality or other unit of local government may be a

holder of an environmental covenant. The following are all holders of this covenant except for the the U.S. Environmental Protection Agency, Region III which is not a holder, but is an approving Agency of this covenant:

*Ravenswood Remediation LLC,
c/o Martin Dodd
21 Griffin Rd North
Windsor, Connecticut 06095-1512*

*TRC Companies, Inc., TRC Environmental Corporation
21 Griffin Rd North
Windsor, Connecticut 06095-1512*

*West Virginia Department of Environmental Protection
Division of Land Restoration
Office of Environmental Remediation
601 57th Street
Charleston, West Virginia 25304*

*US Environmental Protection Agency, Region III
Director, Land and Chemicals Division
1650 Arch Street
Philadelphia, Pennsylvania 19103*

The facts regarding the environmental response project at this Property are:

Spent potliner is a byproduct of primary aluminum refining. Two repositories of spent potliner were retained in ownership by the generator, Kaiser Aluminum and Chemical Company, then sold to Ravenswood Remediation LLC for management of post-closure for the two units. The third parcel is adjacent to the spent potliner pile and was suspected to have received runoff from the pile before and after closure of the pile.

The main constituents of interest in spent potliner are cyanide and fluoride. Cyanide and fluoride have been detected in groundwater samples at the Spent Potliner Pile above applicable drinking water standards and Maximum Contaminant Levels codified at 40 C.F.R. Part 141. In addition, the closed repositories need to be maintained intact to prevent future releases of and human exposure to spent potliner constituents.

The Owner(s) of the Property shall provide written notice to all holders, the Secretary of the West Virginia Department of Environmental Protection, and the U.S. Environmental Protection Agency, Region III within ten (10) days following transfer of a specified interest in the Property subject to this covenant, changes in use of the Property, application for building permits

regarding the Property, or proposals for any site work affecting the contamination on the Property.

The current *owner's representative*, *TRC Environmental*, shall conduct inspections of the Property to monitor compliance with this Environmental Covenant at least *every one hundred eighty (180)* calendar days per year, and shall submit two (2) signed copies of the inspection monitoring report to the West Virginia Department of Environmental Protection, Division of, Land Restoration 601 57th Street, Charleston, West Virginia 25304 within thirty (30) calendar days of the inspection.

This covenant shall not be amended, modified or terminated except by written instrument executed in accordance with W. Va. Code § 22-22B-10, by and between the Owner at the time of the proposed amendment, modification or termination, the Secretary of the West Virginia Department of Environmental Protection, the holders of this covenant, and the U.S. Environmental Protection Agency, Region III. Within five (5) calendar days of executing an amendment, modification or termination of this Environmental Covenant, the Owner shall record such amendment, modification or termination with the Clerk of the County Commission, and within five (5) calendar days thereafter, the owner shall provide a true copy of the recorded amendment, modification or termination to the Secretary of the Department of Environmental Protection and the U.S. Environmental Protection Agency, Region III.

The administrative record for the environmental response project reflected in this covenant is maintained in the *U.S. Environmental Protection Agency, Region III Land and Chemicals Division located at 1650 Arch Street, Philadelphia, Pennsylvania 19103* and is entitled *U.S. EPA Docket Number: RCRA-III-03-2012-0116TH*.

The West Virginia Department of Environmental Protection and the U.S. Environmental Protection Agency, Region III are hereby granted full right of access to the Property for the purpose of implementation and enforcement of this covenant.

All restrictions and other requirements described in this covenant shall run with the land and shall be binding upon all holders and their grantees, lessees, authorized agents, employees or persons acting under their direction or control unless terminated or amended (including assignment) in accordance with W. Va. Code § 22-22B-10. Ravenswood Remediation LLC TRC Companies, Inc., TRC Environmental Corporation and any subsequent owners or operators of the Property agree to provide the West Virginia Department of Environmental Protection and the U.S. Environmental Protection Agency, Region III written notice of the pendency of any foreclosure referred to in W. VA. Code §22-22B-9(a)(4) within seven calendar days of becoming aware of such pendency.

IN WITNESS WHEREOF, the following holders have executed this covenant on the dates indicated.

SIGNED:

Date:

M H Dodd
for Ravenswood Remediation LLC

9/25/2012

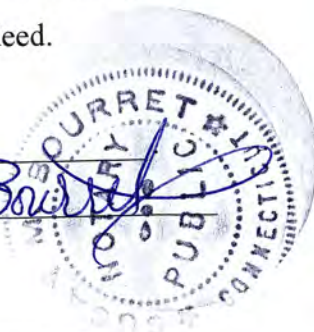
I, Susan M Bourret, a Notary Public in and for the County of Hartford,
State of Connecticut, do hereby certify that Martin H Dodd
the owner/holder(s) whose (name is) (names are) signed above, this day executed this document
in my presence or this day acknowledged same to be said holder(s) true act and deed.

Given under my hand this the 25th day of September, 2012.

My commission expires August 31, 2016

SUSAN M. BOURRET
NOTARY PUBLIC
MY COMMISSION EXPIRES AUG. 31, 2016

Susan M Bourret
Notary Public



for TRC Companies, Inc., TRC Environmental Corporation

Date

I, _____, a Notary Public in and for the County of _____,
State of _____, do hereby certify that _____,
the holder(s) whose (name is) (names are) signed above, this day executed this document in my
presence or this day acknowledged same to be said holder(s) true act and deed.

Given under my hand this the ____ day of _____, 20__.

My commission expires _____.

Notary Public

U.S. Environmental Protection Agency

Date

I, _____, a Notary Public in and for the County of _____,
State of _____, do hereby certify that _____,
whose name is signed to the writing above as the
representative of the agency, has this day executed this document in my presence or this day
acknowledged same to be the true act and deed of said agency.

Given under my hand this the _____ day of _____, 20__.

IN WITNESS WHEREOF, the following holders have executed this covenant on the dates indicated.

SIGNED:

Date:

_____ for Ravenswood Remediation LLC

I, _____, a Notary Public in and for the County of _____, State of _____, do hereby certify that _____, the owner/holder(s) whose (name is) (names are) signed above, this day executed this document in my presence or this day acknowledged same to be said holder(s) true act and deed.

Given under my hand this the _____ day of _____, 20__.

My commission expires _____.


Notary Public

M. H. Doda _____
for TRC Companies, Inc., TRC Environmental Corporation Date 9/19/12

I, Susan M. Bourret, a Notary Public in and for the County of Hartford, State of Connecticut, do hereby certify that Martin H. Doda, the holder(s) whose (name is) (names are) signed above, this day executed this document in my presence or this day acknowledged same to be said holder(s) true act and deed.

Given under my hand this the 19th day of September, 2012

My commission expires August 31, 2016


SUSAN M. BOURRET
NOTARY PUBLIC
MY COMMISSION EXPIRES AUG. 31, 2016

Abraham Ferdas
U.S. Environmental Protection Agency

Notary Public

9/25/12
Date

I, PATRICIA J. SCHWENKE, a Notary Public in and for the County of PHILADELPHIA, State of PENNSYLVANIA, do hereby certify that ABRAHAM FERDAS, whose name is signed to the writing above as the representative of the agency, has this day executed this document in my presence or this day acknowledged same to be the true act and deed of said agency.

Given under my hand this the 25th day of SEPTEMBER, 2012.

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
Patricia J. Schwenke, Notary Public
City of Philadelphia, Philadelphia County
My commission expires August 14, 2014



My commission expires AUGUST 14, 2014

Patricia J. Schwenke

Notary Public

Ken Ellison, Director

Secretary, WV Department of Environmental Protection

September 24, 2012

Date

I, Jessica Henson, a Notary Public in and for the County of Kanawha, State of West Virginia, do hereby certify that Ken Ellison, whose name is signed to the writing above as the representative of the agency, has this day executed this document in my presence or this day acknowledged same to be the true act and deed of said agency.

Given under my hand this the 24th day of September, 20 12.

My commission expires April 7, 2020

Jessica A. Henson

Notary Public

The Clerk will return the recorded document to:

Mr. Ken Ellison, Director
WVDEP, DLR
601 57th Street
Charleston, West Virginia 25304



[The document must contain the notarized signature(s) of the agency, every holder and, unless waived by the agency, every owner of the fee simple of the real property subject to the covenant.]
[This covenant, and any amendment or termination of this covenant, must be recorded in every county in which any portion of the real property subject to the covenant is located. For purposes of indexing, a holder shall be treated as a grantee.]

Attachment A

Legal Description of 2 Tracts at Ravenswood, WV

{include excerpt from Kaiser legal descriptions – parcels at Ravenswood}

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Spent Potliner Pile:

A tract of 2.756 acres situate in Union District, Jackson County, West Virginia, and more particularly bounded and described as follows:

Beginning at a point, said point having coordinates of S-4879.61, E-2536.35 within the grid system of the Ravenswood Works; Thence S 29 deg. 44 min. W for a distance of 553.37 feet to a point, said point having coordinates of S-5432.87, E-2525.34; Thence N 61 deg. 54 min. W for a distance of 211.31 feet to a point, said point having coordinates of S-5434.69, E-2314.04; Thence N 27 deg. 47 min. E for a distance of 535.24 feet to a point, said point having coordinates of S-4899.50, E-2306.47; Thence S 66 deg. 22 min. E for a distance of 230.77 feet to the place of beginning, containing 2.756 acres, more or less, as shown upon that certain Ravenswood Aluminum drawing BF-239-RW rev. 1, reference is hereby made to said drawing for a more complete description of the tract herein described. All references to "grid system" are to the Kaiser Aluminum & Chemical Corporation Ravenswood Works Coordinate System as depicted on Drawing No. RSK-190 "Aluminum Plant Control Monuments" revision March, 1956.

Together with a nonexclusive right of way 40 feet in width for purposes of ingress and egress to said Spent Potliner Vault and Spent Potliner Pile. Said right-of-way being 20 feet on either side of the following, described centerline:

Beginning at a point in the centerline of West Virginia Secondary Route 20, said point having coordinates of S-6640.68, E-5675.05; Thence leaving the said centerline of West Virginia Secondary Route 20 and with existing roadways within the Ravenswood Works N 61 deg. 25 min. W for a distance of 2252.23 feet to a point, said point having coordinates of S-6640.68, E-3422.81; Thence N 3 deg. 56 min. E for a distance of 1145.57 feet to a point, said point having coordinates of S-5599.52, E-2945.00; Thence N 28 deg. 35 min. E for a distance of 813.58 feet to a point, said point having coordinates of S-4785.94, E-2945.00; Thence N 67 deg. 35 min. W for a distance of 430.20 feet to a point, said point having coordinates of S-4832.13, E-2517.29; Thence S 29 deg. 44 min. W for a distance of 49.22 feet to a point set in the northern line of the herein described 2.756 acre tract, said point having coordinates of S-4881.34, E-2516.31; as shown upon that certain Ravenswood Aluminum drawing BF-241-RW, to be recorded herewith; reference to said drawing is hereby made for a more complete description of the herein described right of way. All references to "grid system" are to the Kaiser Aluminum & Chemical Corporation Ravenswood Works Coordinate System as depicted on Drawing No. RSK-190 "Aluminum Plant Control Monuments" revision March, 1956.

Discolored Puddle Area:

That certain lot or parcel of land situate in Union District, Jackson County, West Virginia, and being more particularly bounded and described as follows: Beginning at 1/2" rebar found at Ravenswood Works coordinates S-5837.66', E-3020.75', said rebar being the northeasterly corner of a 2.891 acre parcel previously retained and reserved by Kaiser Aluminum and Chemical Corporation in deed recorded in Deed Book 284, page 48; thence along the northerly division line of said 2.891 acre parcel, N. 83° 55' 00" W. for a distance of 337.04 feet to a 1/2" iron rebar found at Ravenswood Works coordinates S-5966.6', E-2709.38'; thence leaving said 2.891 acre parcel and forming lines through and severing the lands of which the herein described 0.644 acre is a part, currently owned by Century Aluminum of West Virginia, Inc. (Deed Book 284, page 48) for the following three (3) bearings and distances: N. 08° 01' 00" E. 91.62 feet to a 1/2" iron rebar set; S. 81° 49' 14" E. 318.31 feet to a 1/2" iron rebar set; S. 05° 07' 00" E. 81.50 feet to the point of beginning, containing 28,054 square feet or 0.644 acres, more or less.

Jeff Maybriant
JACKSON County 04:09:29 PM
Instrument No 165171
Date Recorded 09/26/2012
Document Type MIS
Pages Recorded 10
Book-Page 21-532
Recording Fee \$10.00
Additional \$7.00

